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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/652,625	08/29/2003	Hak-Mo Jung	HONPT17	1032
49691	7590	12/29/2005	EXAMINER	
IP STRATEGIES 12 1/2 WALL STREET SUITE I ASHEVILLE, NC 28801			FORD, JOHN K	
			ART UNIT	PAPER NUMBER
			3753	

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/652,625

Applicant(s)

JUNG, HAK-MO

Examiner

John K. Ford

Art Unit

3753

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/6/05
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) 3 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4-6 is/are rejected.
- 7) ☒ Claim(s) 2 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 9/2/03 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner (see PTO-948 attached)
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 02/23/05
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Applicant's response of October 5, 2005 has been given careful consideration. Applicant's election of the species of Figure 3 (second species of guide plates, wherein the guide plates engage into recesses on the underside of the upper plate), without traverse, is acknowledged. Claims 1, 2 and 4-6 have been identified as readable thereon. Claim 3 is withdrawn as to the non-elected species. Receipt of a complete copy of Korean 10-0309710 is acknowledged as well.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combined teachings of Ishida (USP 4,820,903) and Mosdorf (DE 3003341).

Ishida shows all of the claimed structure of claim 1 in Figures 1 and 2(a)-2(d) except a plurality of projections each having a sharp tip at positions corresponding to the support legs 6 (called "pillars" in Ishida and best seen in Figures 2(b) and 2(c) of Ishida). Applicant's claimed "upper plate" is plate 3 of Ishida and the claimed "base plate" is base plate 2 of Ishida.

Mosdorf in Figure 1 teaches a series of screws projecting through a base plate (made up of elements 2, 9 and 10) and into support legs 3 that support the upper plate

Art Unit: 3753

1 of Mosdorf. The screws advantageously hold the base plate and upper plate together to form a more rigid structure with less likely separation and improved lateral stability.

To have formed a structure with an upper plate having a series of integrally provide support legs projecting downwardly therefrom and a base plate with a series of screws screwed into the aforementioned support legs would have been obvious to one of ordinary skill in the art to obtain the advantages discussed above. The screws in their final position must form a hole in the end of the corresponding support leg.

Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combined teachings of Ishida (USP 4,820,903) and Mosdorf (DE 3003341) as applied to claim 1 above, and further in view of Fukui et al (JP 6-147515).

In Figure 4, Fukui teaches an upper plate of a floor heating system formed with recess parts (18) in the lower side of the upper plates, that receive guide plates 6 (for wiring, 7) that have projections (17) that fit into the recess parts (18). To have formed the floor heating system of the combined teachings of Ishida (USP 4,820,903) and Mosdorf (DE 3003341) with an upper plate of the floor heating system formed with recess parts in the lower side of the upper plates, that receive guide plates that have projections that fit into the recess parts would have been obvious to one of ordinary skill in the art to advantageously facilitate electrical connections.

Any flow of air over such guide plates 6 will inherently have its direction changed (albeit a small amount if it passes parallel to the guide plates 6, but much more if it

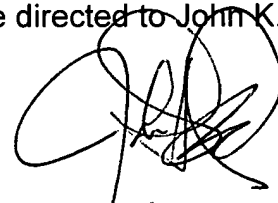
Art Unit: 3753

passes perpendicular thereto). Moreover, regarding the intended function of air flow direction change recited in claim 4, functional language in the claim is treated in accordance with MPEP 2114, incorporated here by reference, and is not given weight in the absence of specifically claimed structure to support the intended function.

Regarding claim 5, each of the guide plates 6 of Fukui have bases (formed as webs between adjoining vertical parts) with grooves 12 in the middle of them.

Claim 2 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication should be directed to John K. Ford at telephone number 571-272-4911.



John K. Ford
Primary Examiner